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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,821	08/12/2005	Regine Kramer	54671/DBP/M521	8557

23363 7590 06/28/2006

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EXAMINER
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CARTER, WILLIAM JOSEPH

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/528,821

**Applicant(s)**

KRAMER ET AL.

**Examiner**

William J. Carter

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-25 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/21, 5/19, 5/26</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 2-25 are objected to because of the following informalities:

In claims 2-25, "characterised" should be changed to "characterized."

In claim 6, lines 4-5, "the corner regions" and "the rear wall" lack antecedent basis.

In claim 8, line 3, "the rear wall" lacks antecedent basis.

In claims 13 and 14, lines 3, "the contact element" lacks antecedent basis.

In claim 16, line 5, "colour" should be changed to "color."

In claim 21, line 3, "the rear wall" lacks antecedent basis.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 8, 11-23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (5,592,193) in view of Lowell et al. (4,782,428).

With respect to claim 1, Chen teaches an illumination device (64) consisting of at least two electrical panel lamp modules (64<sub>a-j</sub>) which have a module housing (102), whose housing depth is small compared with the light-emitting front side (front of 64<sub>a-j</sub>)

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of the panel lamp module (Figs. 3 and 8), and which consists of a lamp housing (104) and a lamp frame (108) having a greater depth and surrounding the lamp housing on the outside (Fig. 8) and which have several arms. Chen does not explicitly teach the arms having assembly bores disposed which are spread out and for modular expansion align with the assembly bores in the arms of adjoining lamps frames and through which connecting elements can be pushed which connect the lamp frames together with positive-locking and/or force-locking engagement. Lowell, also drawn to Illumination devices, teaches frames (12 and 52) having arms (32 and 60) having assembly bores (68 and unnumbered receiving holes in 32) disposed which are spread out and for modular expansion align with the assembly bores in the arms of adjoining lamps frames and through which connecting elements (66) can be pushed which connect the lamp frames together with force-locking engagement (column 4, lines 35-40). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the frames and connections of Lowell in the illumination device of Chen, in order to permit collapsing and extending of the supports (column 4, lines 38-40).

As for claim 2, Chen further shows the lamp housing (104) closes on its front side flush (Fig. 8) with the lamp frame (108).

As for claim 3, Chen further shows the lamp housing (104) can be inserted (Fig. 8) in the lamp frame (108).

As for claim 8, Chen further teaches on a rear wall (wall at bottom of 104) of the lamp housing (104) there is at least one contact element (126 and 128) and at least one

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contact receiver element (122) for controlling and supplying current to the panel lamp module (64<sub>a-j</sub>).

As for claim 11, Chen further teaches the panel lamp modules (64<sub>a-j</sub>) can be connected to a power supply module (122) through cable connections (126 and 128).

As for claim 12, Chen further teaches the electrical panel lamp modules (64<sub>a-j</sub>) which are arranged modular in a row (Fig. 3) can be controlled individually (column 4, line 65-column 5, line 3).

As for claim 13, Chen further teaches contact elements (126 and 128) having a number of contacts for the individual control and power supply of the individual electrical panel lamp modules (64<sub>a-j</sub>) arranged in series which corresponds to the number of electrical panel lamp modules which are arranged in series (column 6, lines 33-57).

As for claim 14, Chen further teaches contact elements (126 and 128) have power supply contacts (+ and -) connected to the power supply module (122), and a control (122) through which the electrical panel lamp modules (64<sub>a-j</sub>) arranged in series can be addressed and controlled individually (column 6, lines 33-57).

As for claim 15, Chen further teaches an electrical switch (122) assigned to each panel lamp module (64<sub>a-j</sub>) for individual activation of the panel lamp modules (column 6, lines 33-57).

As for claims 16-23, Chen does not explicitly teach the lamp frame can be connected to the light emitting front side of the lamp housing to an accessory frame for holding a filter, shutter, color foil or the like; the accessory frame is connected to the lamp frame and can be unfolded away from the lamp frame; the lamp frame can be

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connected to a holder which holds the illumination device; the arms of the lamp frame preferably have in the middle a positive locking or force locking engagement element and the holder consists of a supporting bracket whose ends are provided with counter positive locking elements or counter force locking engagement elements; the supporting bracket is adjustable in length; a rear wall of the lamp housing is provided with a socket and guide plate in which a fixing element can be inserted which can be connected to the panel lamp module; wherein the socket and guide plate has at least two guide rails arranged on either side of an insert opening and a locking element mounted on the rear wall of the lamp housing in the insert direction of the fixing element in front of the insert opening; characterized in that the locking element consists of a resilient pressure member. Lowell teaches a lamp frame (12 and 52) can be connected to the light emitting front side of the lamp housing to an accessory frame (44) for holding a filter, shutter, color foil or the like (column 2, lines 14-18); the accessory frame is connected to the lamp frame and can be unfolded away from the lamp frame (column 4, lines 3-5); the lamp frame (12 and 52) can be connected to a holder (2) which holds the illumination device (10); the arms of the lamp frame preferably have in the middle a positive locking or force locking engagement element (54) and the holder consists of a supporting bracket (16) whose ends are provided with counter positive locking elements or counter force locking engagement elements (18b); the supporting bracket is adjustable in length (booms are inherently adjustable in length; see [www.startphoto.com/learn/glossary/glossary\\_bi-bq.htm](http://www.startphoto.com/learn/glossary/glossary_bi-bq.htm)); a rear wall (46) of the lamp housing (46 and 48) is provided with a socket and guide plate (54) in which a fixing

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element can be inserted (18b) which can be connected to a light source (30); wherein the socket and guide plate has at least two guide rails (side rails of 54) arranged on either side of an insert opening (unnumbered opening that receives item 92) and a locking element mounted (92) on the rear wall of the lamp housing in the insert direction of the fixing element in front of the insert opening (Figs. 2, 6, and 7); characterized in that the locking element consists of a resilient pressure member (unnumbered nut on the end of item 92). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the frames and supports of Lowell in the illumination device of Chen, in order to provide a frame for carrying the illumination device that is collapsible to accommodate different sized light sources (column 2, lines 4-6).

As for claim 25, Chen further teaches a flat discharge lamp (Abstract) as the panel lamp module (64<sub>a-j</sub>).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen and Fritts as applied to claim 1 above, and further in view of Sasuga (JP-05257128-A).

With respect to claim 6, Chen and Fritts teach all of the claimed elements, as discussed above, except for explicitly teaching spacers, preferably designed as rubber buffers and whose outer ends project beyond the lamp frame are arranged in the corner regions of the rear wall of the lamp housing opposite the light emitting front side. Sasuga, also drawn to panel lamp modules, teaches spacers, preferably designed as rubber buffers and whose outer ends project beyond the lamp frame are arranged in the corner regions of the rear wall of the lamp housing opposite the light emitting front side (Constitution). It would have been obvious to one of ordinary skill in the art, at the time

of the invention, to use the spacers of Sasuga in the illumination device of Chen, in order to seal the gap between elements of the light (Constitution).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen and Lowell as applied to claim 1 above, and further in view of Wanuch et al. (6,203,172).

As for claim 7, Chen and Lowell teach all of the claimed elements, as discussed above, except for explicitly teaching the lamp housing consists of a light housing for holding a planer lamp, a heat distribution plate on the rear side of the light housing opposite the light-emitting front side of the lamp house, and of a rear wall. Wanuch, also drawn to illumination devices, teaches a lamp housing (18a, 18b, 20a, and 20b) consists of a light housing (18a and 18b) for holding a lamp, a heat distribution plate on the rear side of the light housing opposite the light-emitting front side of the lamp house, and of a rear wall (column 1, lines 29-32). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the heat distribution plate of Wanuch on the rear side of the light housing of Chen, in order to reduce the thermal stress upon the lamp (column 1, lines 29-30).

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen and Lowell as applied to claim 8 above, and further in view of Wang (6,715,903).

With respect to claim 9, Chen and Lowell teach all of the claimed elements, as discussed above, as well as Chen further teaches the at least one contact element (126 and 128) and contact receiver element (122) are designed multi-polar and are arranged on an end side of the rear wall (Fig. 8). Chen and Lowell do not explicitly teach the rear wall of the lamp housing having a central raised region. Wang, also drawn to



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illumination devices, teaches a rear wall (Fig. 4) of a lamp housing (12) having a central raised region (81). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the central raised region of Wang in the illumination device, in order to a light mounting panel that is simple and inexpensive to manufacture, and quick and easy to install (column 2, lines 2-5). As for claim 10, Chen, Lowell, and Wang teach all of the claimed elements, as discussed above, as well as Wang shows the raised region is rectangular. Chen, Lowell, and Wang do not explicitly teach a diagonal side bridging one corner of the central raised rectangular region and the at least one contact element and contact receiver element are arranged on the diagonal side.

Applicant has not disclosed that the shape is of a particular unobvious purpose, produces an unexpected result, or is otherwise critical. Indeed, it has been held that changing aesthetic (ornamental) design are prima facie obvious absent a disclosure that the limitations are for a particular unobvious purpose, produce an unexpected result, or are otherwise critical. See, for example, *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen and Lowell as applied to claim 1 above, and further in view of Bolta et al. (6,139,164).

With respect to claim 24, Chen and Lowell teach all of the claimed elements, as discussed above, except for explicitly teaching a handle formed on the side of the guide plate opposite the insert opening. Bolta, also drawn to illumination devices, teaches a handle (61) formed on a side of a guide plate (60) opposite an insert opening (openings for items 31). It would have been obvious to one of ordinary skill in the art, at the time of

the invention, to use the handle of Bolta on the illumination device of Chen, in order to be able to carry the illumination device (Fig. 6).

### ***Allowable Subject Matter***

Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach or suggest a connecting element consisting of lateral connectors, with a cylindrical connecting body, that is meant to fit into assembly bores in to connect to frames, having a stop shoulder mounted at one end, a lever, and a bolt connected to the lever and guided through the cylindrical connecting body, where a groove is formed between the end of the bolt and the end of the cylindrical connecting body, wherein the width of the groove can be changed by actuating the lever and the groove contains an elastic ring which can be expanded through compression, wherein the connecting element consist of a screw and nut which can be screwed thereto.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wjc  
06/21/06

  
**ALI ALAVI**  
**PRIMARY EXAMINER**